MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	141687/FO/2024
Date registered valid:	8 January 2025
Proposal:	Conversion of dwellinghouse into 2 self contained flats
Address:	13 Daneholme Road, Manchester, M19 1NZ
Ward(s):	Burnage Ward
Applicant:	Mr. Nizar Askander
Agent (if any):	Mr. Niamat Ali, NA Design
Case officer:	Holly Wright Tel: 0161 219 6381 Email: holly.wright@manchester.gov.uk
Recommendation:	Refuse
Date of recommendation:	**26 February 2025**

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 7 February 2025

Standard consultations: Printed: 15 January 2025 Expired: 5 February 2025

Neighbour notifications: Printed: 15 January 2025 Expired: 5 February 2025

Site notice: No site notice has been produced

Press advert: No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application relates to a two-storey semi-detached C3 dwellinghouse of redbrick with a grey slate hipped roof. The property features white uPVC windows, a front porch canopy, a tarmacadam driveway, a single storey rear extension, and an enclosure situated within a spacious rear garden.













Description of area

Daneholme Road is a residential street situated within the Burnage ward of Manchester, close to Kingsway (A34), Fog Lane Park, and Westcroft Community Centre. The area is predominantly residential in terms of its character, consisting of semi-detached and terraced dwellinghouses.

Description of development

The applicant is seeking permission for the conversion of a dwellinghouse into 2no. self-contained flats.

Planning history

No previous history.

Consultations & Notification Responses

Local residents, as per appendix 1 – no comments or objections received.

Highways Services made no objection to the proposal, requesting further information on cycle parking provisions.

Environmental Health made no objection to the proposal, requesting a condition relating to the submission of a scheme for the storage and disposal of refuse be attached to the decision.

Policies

The following policies are considered relevant in the consideration of this application.

Unitary Development Plan (UDP) – The UDP has been superseded by the Core Strategy Development Plan, but certain policies are still considered of relevance:
- Policy DC5 – Flat Conversions
- Policy DC26 – Development and Noise

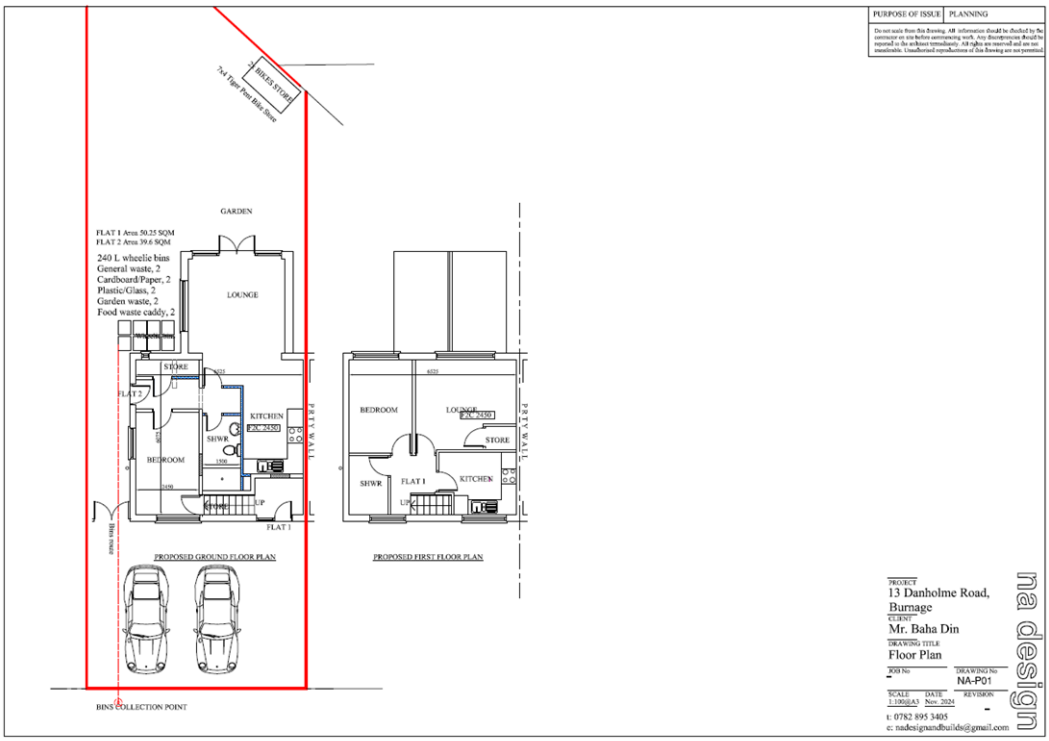
The Manchester Core Strategy – Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on the 11th of July 2012:
- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles
- Policy H1 – Overall Housing Provision
- Policy H6 – South Manchester
- Policy EN19 - Waste

The National Planning Policy Framework (NPPF, 2024)
- Chapter 2 – Achieving Sustainable Development
- Chapter 12 – Achieving Well-Designed Places

Places for Everyone (PfE) – is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.
- Policy JP-Strat9 – Southern Areas
- Policy JP-H1 – Scale, Distribution, and Phasing of New Housing Development
- Policy JP-H3 – Type, Size, and Design of New Housing

Manchester Residential Quality Guidance (2017)
- Appendix - Manchester's Emerging Space Standards

Technical Housing Standards – Nationally Described Space Standard (2015)



Submitted proposed plans

Issues

Principle – Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that decisions must be made in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework reinforces this requirement in paragraphs 2 and 47, whilst paragraph 12 indicates that the presumption in favour of sustainable development does not alter the statutory status of the development plan as a starting point for decision-making and that, where a planning application conflicts with an up-to-date development plan, permission should not normally be granted.

In the case of this application, the principle of the proposal is considered unacceptable and cannot be supported as it conflicts with the development plan policies and associated guidance listed in the preceding section.

It is considered that the proposed conversion of the property into 2no. smaller self-contained flats would result in the loss of family sized accommodation in an area where it is desirable to retain such properties so as to contribute to the Council's housing supply. It is further maintained that the proposed conversion would facilitate an over-intensive use of the property and would lead to problems associated with increased levels of activity formed by people with different lifestyles and patterns of behaviour, including increased noise disturbance, traffic congestion, parking pressures and waste storage demands. The proposal also fails to respect the overall character of the area, which predominantly consists of family dwellinghouses, and would generate potential amenity issues for neighbouring residents as well as for the prospective occupiers of the flats.

On this basis, the proposal is considered to conflict with policies DC5 and DC26 of the Unitary Development Plan, policies DM1, SP1, H1, and H6 of the Manchester Core Strategy, policies JP-Strat9, JP-H1, and JP-H3 of the Places for Everyone Joint Development Plan Document, chapter 12 of the National Planning Policy Framework, Manchester's Emerging Space Standards, and the Technical Housing Standards. There are no material considerations which indicate otherwise.

Loss of a family dwelling – it is apparent from recent figures obtained from the Council's Housing and Residential Growth section, that there are currently very significant shortfalls in the availability of family sized homes across the city based on current demand. Whilst these figures are based on the supply of social housing, there is inevitably a relationship between the availability of family homes for sale or rent in the private sector, and the demand for social housing.

An important policy objective of the City Council is to improve the quality of housing stock in the City and to deliver a more sustainable housing market. This can be achieved by increasing the amount of family housing stock on offer and by providing for choice through offering a range of accommodation. This would allow for more balanced and cohesive neighbourhoods that provide for stronger and safer communities.

The supporting narrative of policy H1 indicates that, outside the Inner Areas, the emphasis will be on increasing the availability of family housing, whilst policy H6 indicates that South Manchester should only accommodate around 5% of new residential development, with high-quality, high density development only appropriate within the district centres of Chorlton, Didsbury, Fallowfield, Levenshulme, and Withington as part of mixed-use schemes. Outside the district centres, housing should contribute to meeting identified shortfalls, including family housing and provision that meets the needs of elderly people, with schemes adding to the stock of affordable housing.

The loss of a family sized dwellinghouse in this area and its replacement with 2no. flats would conflict with the aspirations set out in aforementioned policies as well as policy JP-Strat9 of PfE, which indicates that the distinctive local neighbourhood character of the southern areas should be protected and enhanced, as it would reduce the availability of family housing in this area and would result in the creation of a poor-quality, high-density residential development outside of the district centre which would be out-of-keeping with the character of the surrounding area. The proposal would also increase the threat of existing families being driven out of the area or from being attracted to the area due to a shortage of appropriate accommodation. Whilst the effect of the loss of a single home on the overall mix and balance of housing in the area would be limited, it would nevertheless contribute to the shortfall.

To permit the conversion of the property to smaller sized units, with the consequential loss of family sized accommodation, would clearly contravene City Council policy aspirations and would serve to contribute to the imbalance of the housing mix in the area, deviating from the long-term housing objectives of the City Council which focus on diversity and choice in the housing market. On this basis, the proposed conversion is considered unacceptable.

Over-intensive use – policies DM1 and SP1 of the Core Strategy indicate that consideration should be given to the effects of development upon the amenity, living conditions and the wellbeing of residents. Saved policy DC5 of the UDP, which specially relates to flat conversions, requires consideration be given to the effect on neighbouring occupiers, as well as the adequacy of amenity space, parking, access and waste management arrangements, whereas saved policy DC26 seeks to consider the effect of new development proposals which are likely to be generators of noise. Paragraph 135(f) of the NPPF states that planning decisions should ensure that developments create places with a high standard of amenity for existing and future users.

In this case, it is believed that the conversion of a single dwellinghouse with a private garden area into 2no. smaller residential units, would lead to the over-intensive use of the property. Whilst the City Council has no control over who can occupy a property, it can help prevent properties from being over intensively used, by restricting the creation of certain types of accommodation.

The creation of multiple households within a property originally intended for a single household, would create a greater propensity for independent activity as opposed to family occupancy. The use by multiple, unrelated occupiers with different lifestyles and different patterns of behaviours is likely to create a greater level of comings and goings, with increased noise and disturbance to neighbouring occupiers. This would include increased activity associated with visitors to those individuals, including noise transfer to internal walls and the movement of bins and vehicles. The impact to amenity would therefore be far greater than a single household. As the property is attached to a similar family dwellinghouse, the impact to neighbouring living conditions as a consequence of levels of activity, waste generation and multiple levels of car ownership and increased vehicular activity and parking requirements, is considered unacceptable.

On balance, it is maintained that the increase in levels of activity and associated noise and disturbance is likely to be unduly felt, undermining the living conditions of neighbouring occupiers, to the detriment of residential amenity. On this basis, the proposal would result in the over-intensive use of the application property, contrary to the aforementioned policy and guidance.

Conclusion – on balance, it is considered that the proposal would result in the unacceptable loss of a family dwellinghouse, creating a development which would inflict poor living conditions upon its prospective occupiers as well as leading to the over-intensification of the site, which would have an adverse impact upon the amenity of the area, to the detriment of neighbouring

residents. The proposed development therefore conflicts with policies DC5 and DC26 of the Unitary Development Plan, policies DM1, SP1, H1, and H6 of the Manchester Core Strategy, policies JP-Strat9, JP-H1, and JP-H3 of the Places for Everyone Joint Development Plan Document, and chapters 11 and 12 of the National Planning Policy Framework.

Other Legislative Requirements

Equality Act 2010
Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Human Rights Act 1998 considerations
This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved polices of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Refuse

Article 35 Declaration
The proposal would not improve the social and environmental conditions of the area, nor does it comply with the development plan and therefore does not comprise sustainable development. There are no conditions which could reasonably have been imposed, which would have made the development acceptable, and it is therefore not possible to approve the application.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The proposed conversion of the host property into 2no. self-contained 1-bedroom flats would result in the loss of a family sized accommodation, which would reduce the standard and availability of such housing in the area, undermining the provisions of policies DM1, SP1, H1 and H6 of the Manchester Core Strategy, which seek to provide an appropriate mix and balance of housing provision in the locality, in order maintain a sustainable neighbourhood and cohesive housing market.

2) The proposed flat conversion would result in an over-intensive use of the property, with a consequential increase in the levels of activity, including increased 'comings and goings', noise disturbance, traffic congestion, parking pressures and waste storage demands. This in turn would have a detrimental impact upon the amenity of neighbouring occupiers, contrary to saved policies DC5 and DC26 of the Unitary Development Plan for the City of Manchester, policies DM1, SP1, and EN19 of the Core Strategy and the provisions of the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

10 Glenhurst Road, Manchester, M19 1WX
7 Daneholme Road, Manchester, M19 1NZ
8 Daneholme Road, Manchester, M19 1NY
10 Daneholme Road, Manchester, M19 1NY
12 Glenhurst Road, Manchester, M19 1WX
18 Overlea Drive, Manchester, M19 1LG
20 Overlea Drive, Manchester, M19 1LG
3 Foxwood Gardens, Manchester, M19 1SN
5 Daneholme Road, Manchester, M19 1NZ
1 Foxwood Gardens, Manchester, M19 1SN
9 Daneholme Road, Manchester, M19 1NZ
3 Daneholme Road, Manchester, M19 1NZ
15 Daneholme Road, Manchester, M19 1NZ
11 Daneholme Road, Manchester, M19 1NZ
5 Foxwood Gardens, Manchester, M19 1SN
1 Daneholme Road, Manchester, M19 1NZ
6 Daneholme Road, Manchester, M19 1NY
4 Daneholme Road, Manchester, M19 1NY
2 Daneholme Road, Manchester, M19 1NY
14 Daneholme Road, Manchester, M19 1NY
12 Daneholme Road, Manchester, M19 1NY
8 Glenhurst Road, Manchester, M19 1WX
6 Glenhurst Road, Manchester, M19 1WX

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA